

ASSEMBLY BILL 1049 (TORRICO)

California Safely Surrendered Tax Check Off

PROBLEM

As of June 2008, 251 babies have been safely surrendered in California. Unfortunately, public awareness of the law has been insufficient. The California State Auditor released a report in April 2008 on the Safely Surrendered Baby Law. The audit reported that over 400 babies have been found illegally abandoned in California. Further, the audit found that funding for the program, public awareness, and the information provided to counties about the program were insufficient.

Current law does not impose on any State Agency sufficient requirements to publicize its availability. There is also no State Agency responsible in actively monitoring its success on an ongoing basis. The Department of Social Services had an obligation to report to the legislature specific data concerning surrendered babies, but the report requirement did not extend past 2005. Finally, the State has not provided consistent funding to create and administer a program to increase the public's awareness of the law.

This bill would allow taxpayer contributions to fund outreach, to expand awareness on the Safely Surrendered Baby Law, and to ensure the law is enforced. Currently there are 15 active funds on the State income tax return form's voluntary contribution section. The general provisions also provide a formal queuing process for adding new contingent voluntary contribution funds to the tax return. Upon enactment, new contingent funds are added to the tax return when an existing fund is removed or when FTB determines space exists on the income tax return.

A contingent voluntary contribution designation is a voluntary contribution fund that includes language that the fund may not be added to the personal income tax return until another voluntary contribution fund is removed. The contributions acquired for this measure will generate new research to help babies' live safe, stronger and better lives.

RELATED LEGISLATION

AB 1048 (Torrico) expands the California Safely Surrender Baby Law by designating certain locations, such as local fire agencies as safe-surrender sites. The bill also expands the safely surrendered provision from

72 hours to 30 days old or younger. This measure also addresses the concerns and includes the recommendations from the State Audit report.

SUMMARY

AB 1049 (Torrico) adds the California Safely Surrendered Baby Research Fund to the state income tax return form's voluntary contributions section.

- Gives taxpayers the opportunity to contribute to the California Safely Surrender Baby Research Fund when they fill out their state income tax form
- Allows the fund to remain on the form for a maximum of five years
- Requires that the fund receive a minimum of \$250,000 in contributions per year to remain listed on the form (after the first year)

STATUS

- Introduced on February 27, 2009
- Assembly Revenue and Taxation Committee April 20, 2009 (Passed 9-0)
- Assembly Health Committee April 28, 2009 (Passed 19-0)
- Assembly Appropriations May 28, 2009 (Passed 17-0)
- Assembly Floor Second Reading June 2, 2009 (Passed 78-0)
- Senate Revenue and Taxation Committee July 8, 2009 (Passed 6-1)
- Senate Appropriations

SUPPORT

- California Fire Chiefs Association (CFCA)
- Fire Districts Association of California (FDAC)
- The American College of Obstetricians and Gynecologists, District IX/CA
- California Catholic Conference
- The County Welfare Directors Association of California (CWDA)
- California School Employees Association (CSEA)

OPPOSITION

- None on File

FOR MORE INFORMATION

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